

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America
 v.
 Giovanni Antonio ELIAS-Mungia
 Citizenship: El Salvador
 YOB: 1990

Case No. M-21-1409-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 27, 2021 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Title 18, U.S.C., 111(a)(1)

Offense Description

whoever forcibly assaults, resists, opposes, impedes, intimidates, or
 interferes with any person designated in section 1114 of Title 18 while
 engaged in or on account of the performance of official duties.

This criminal complaint is based on these facts:

See Attachment A.

United States District Court
 Southern District of Texas
 FILED

JUN 28 2021

Nathan Ochsner, Clerk

☒ Continued on the attached sheet.

Approved for filing by AUSA Amy L. Greenbaum

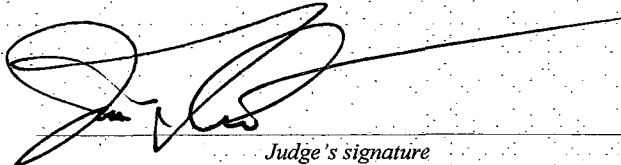
s/Juan A. Carranco

Complainant's signature

Juan A. Carranco, Task Force Officer, FBI

Printed name and title

Submitted by reliable electronic means, sworn to and attested
 telephonically per Fed. R. Cr. P. 4.1, and probable cause
 found on:

Date: 06/28/2021 es:ojp


Judge's signature

City and state: McAllen, Texas

Juan F. Alanis, United States Magistrate Judge

Printed name and title

Attachment A

Affidavit

I, Juan A. Carranco, being first duly sworn, state as follows:

1. I am a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI) in McAllen, Texas, and have been so since March, 2015. I am currently assigned to the Rio Grande Valley Safe Streets Task Force in McAllen, Texas.

2. The information contained in this affidavit is based on my personal knowledge and on information provided to me by other agents of the FBI, law enforcement officers, and other sources of information. This affidavit serves to provide the probable cause in support of a complaint against Giovanni Antonio ELIAS-Mungia for violating Title 18, U.S.C., Section 111 (a)(1), Assaulting a Federal Officer.

3. On June 27, 2021, at approximately 12:35 pm, in accordance with his official duties as a Border Patrol Agent (BPA), BPA M.G. responded to the area of Walker Lake in Penitas, Texas to look for a group of 15 to 20 suspected undocumented subjects that were seen by Aerostat Balloon C2. BPA M.G. was directed to the group, and when he approached the brushy area, he saw four subjects running southbound. BPA M.G. went after the four subjects and managed to grab a hold of two of the subjects.

4. One of the subjects that BPA M.G. caught was identified as Giovanni Antonio ELIAS-Mungia (hereinafter referred to as ELIAS-Mungia). ELIAS-Mungia turned around and dragged BPA M.G. to the ground with BPA M.G. landing on top. BPA M.G. attempted to take control of ELIAS-Mungia, but ELIAS-Mungia was assaultive and combative, pushing BPA M.G.'s hands away and using his legs to try and push off BPA M.G.

5. BPA M.G. performed a "drive stun" (dart-less taser deployment) on the lower back area of the subject in an attempt to control him and effect the arrest. BPA M.G. was able to restrain the subject without further incident.

6. BPA M.G. is a Border Patrol Agent, an officer and employee of the United States, namely a person designated in section 1114 of Title 18.

7. Subsequent to the apprehension of ELIAS-Mungia, it was determined that ELIAS-Mungia was a citizen of El Salvador, and was illegally present in the United States.

8. Based on the aforementioned factual information, your Affiant respectfully submits that ELIAS-Mungia committed violations of Title 18, United States Code, Section 111 (a)(1), Assaulting a Federal Officer.